UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JACOB ARTHUR BRAUNSCHWEIG,

V.

Plaintiff,

SPOKANE COUNTY JAIL

Defendant.

NO: 2:16-CV-154-RMP

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING COMPLAINT

By Report and Recommendation filed August 5, 2016, ECF No. 9,

Magistrate Judge Dimke recommended that this action be dismissed without

prejudice pursuant to Plaintiff's motion to voluntarily dismiss under Fed. R. Civ. P.

41(a). Defendant has not been served.

A copy of the Report and Recommendation was sent to Mr. Braunschweig at the Spokane County Jail, but was returned as undeliverable on August 12, 2016, with the notation, "Not in Jail." ECF No. 11. Plaintiff has not kept the Court apprised of his current address and has filed nothing further in this action.

ORDER ADOPTING REPORT AND RECOMMENDATION -- 1

There being no objections, **IT IS ORDERED** that the Report and Recommendation, **ECF No. 9**, is **ADOPTED** in its entirety. **IT IS FURTHER ORDERED** Plaintiff's Motion, **ECF No. 8**, is **GRANTED** and this action is dismissed without prejudice. Although Plaintiff is technically responsible to pay the full filing fee for this action, his apparent release from incarceration renders the mechanism for collecting the filing fee under 28 U.S.C. § 1915(b)(2) inoperable.

IT IS SO ORDERED. The District Court Clerk is directed to enter this

Order, enter judgment of dismissal without prejudice, forward copies to Plaintiff at
his last known address and close the file.

DATED this 31 day of August 2016.

s/Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
United States District Judge